

REMARKS**I. INTRODUCTION**

In response to the Office Action dated April 6, 2006, claims 5-6 have been amended. Claims 1-3 and 5-27 are in the application. Re-examination and re-consideration of the application, as amended, is requested.

**II. NON-ART REJECTIONS**

On page (2) of the Office Action, claims 5-6 were rejected under 35 U.S.C. §112, first paragraph, as lacking enablement. However, the Office Action suggested amendments to the claims that would overcome the rejections.

Applicants' attorney has amended claims 5-6 as suggested by the Office Action to overcome the rejections under 35 U.S.C. §112, first paragraph.

**III. PRIOR ART REJECTIONS**

On pages (3) and (4) of the Office Action, claims 1-3, 7, 8, and 27 were rejected under 35 U.S.C. §102(a) as being anticipated by Mason et al., "Widely Tunable Sampled Grating DBR Laser with Integrated Electroabsorption Modulator", in IEEE Photonics Technology Letters, Vol. 11, No. 6 (June 1999).

Applicants' attorney submits herewith Declarations under 37 C.F.R. §1.132 by the inventors to overcome this rejection. These Declarations state that the Mason publication is, in fact, a description of their invention and thus does not comprise a prior art reference. Consequently, these references are not proper citations under 35 U.S.C. §102(a). Thus, Applicants request that the rejections of the claims be withdrawn.

Thus, Applicants' attorney submits that independent claim 1 is allowable over the references. Further, dependent claims 2-3, 5-8 and 27 are submitted to be allowable over the references in the same manner, because they are dependent on independent claim 1, and thus contain all the limitations of the independent claim. In addition, dependent claims 2-3, 5-8 and 27 recite additional novel elements not shown by the references.

IV. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited.

Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

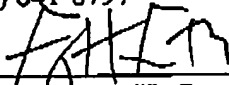
Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Applicants

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: July 6, 2006

GHG/

By:   
Name: George H. Gates  
Reg. No.: 33,500